

Docket No.: 04172/000K523-US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Mike Levanduski

Application No.: 10/026,420

Confirmation No.: 2519

Filed: December 18, 2001

Art Unit: 1636

For: PLURIPOTENT STEM CELLS DERIVED
WITHOUT THE USE OF EMBRYOS OR
FETAL TISSUES

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, attached hereto is a copy of Form PTO/SB/08 and copies of the documents listed thereon.

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO/SB/08) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing Form PTO/SB/08 next to the document. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application. This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits,

whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

I hereby certify that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

A copy of each document on the PTO/SB/08 is attached.

A concise explanation of relevance of the items listed on form PTO/SB/08 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: November 5, 2003

Respectfully submitted,

By 
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PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for form 1449A/PTO				Complete if Known	
				Application Number	10/026,420
				Filing Date	December 18, 2001
				First Named Inventor	Mike Levanduski
				Art Unit	1636
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	04172/000K523-US0

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
AA	US-2001/0037513-A1	11-01-2001	Yang et al.		
AB	US-6,235,970-B1	05-22-2001	Stice et al.		
AC	US-6,200-806-B1	03-13-2001	Thomson		

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)			
BA	EP-0559307-A1		09-08-1993	W.R. Grace & Co.-Conn.	T ⁶

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

¹Applicant's unique citation designation number (optional). ²See attached Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
	CA	M.J. Shambrott et al., "Derivation of Pluripotent Stem Cells from Cultured Human Primordial Germ Cells," <i>Proc. Natl. Acad. Sci. USA</i> , November 1998, Vol. 95, pp. 13726-13731.			
	CB	J.K. Henderson et al., "Preimplantation Human Embryos and Embryonic Stem Cells Show Comparable Expression of Stage-Specific Embryonic Antigens," <i>Stem Cells</i> , May 8, 2002, Vol. 20, pp. 329-337.			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Examiner Signature	1	Date Considered	
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Image

11-07-03

GP-1636



Application No. (if known): 10/026,420

Attorney Docket No.: 04172/000K523-US0

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FORM PTO/SB/08 (1PG.)
INTERNATIONAL SEARCH REPORT (1PG.)
6 DOCUMENTS